

Our Ref.: CISCO-8385

Page 10

REMARKS*Status of the Application:*

Claims 1-17 are the claims of record of the application. No office action on the merits has yet been received on this application. However, the application is a continuation of U.S. Patent Application 10/096215 (now U.S. Patent 6686804) (hereinafter, the "Parent Application," and an office action was received on several of the claims of the Parent Application that do correspond to the claims presented herein.

Claim Correspondence

The following table provides correspondence between the present claims and those of the parent application.

Parent Application 10/096215	Present Application
34	1
39	2
40	3
41	4
42	5
47	6
48	7
51	8
52	9

Amendment to the Claims:

Applicants have amended the claims to overcome the rejection over Mucke et al. in a final office action to the Parent Application.

Claims 10-17 are means plus function claims that correspond to the above claims.

New claim 18 is similar to claim 4 of the parent patent 6686804, adding the limitations of claim 1 of the parent patent 6686804. The new claim corrects a typographical error discovered in claim 4 of the parent. "to the to the switchable capacitor" has been amended to --to the switchable capacitor-- to delete the repetition of "to the."

New claim 19 adds that the sensor output is digitized using an analog to digital converter to provide a multi-bit output as described in paragraph [0051] of the application.

Previous Office Action to Parent Application 10/096215

In paragraph 2 of the office action dated Aug. 14, 2003, current claim 1 (was claim 34), current claims 2-5 (were claims 39-42), current claims 6-7 (were claims 47-48) and current

Our Ref.: CISCO-8385

Page 11

claims 8-9 (were claims 51-52) were finally rejected under 35 U.S.C. 102(e) as being anticipated by Mucke et al. (USP 6,211,745).

A main point of disagreement between the examiner and the applicants is whether Mucke et al.'s comparator 702 reads on the sensor, e.g., the sensor of claim 1. The examiner remained unconvinced that Applicants' sensor was not disclosed by Mucke et al.'s comparator 702. In rebutting Applicants' arguments, the examiner stated

"...The comparator 702 compares/senses the amplitude of the control signal V_{tone} against the reference voltage V_{ref} . The output of the comparator provides an indication/measurement as the magnitude of the control signal V_{tone} is higher or lower the reference voltage. Therefore, the limitation of "sensor connected to the control input of the VCO providing a measurement that varies as the magnitude of the control signal" as recited in claims 34, 39-41, 42, 47-48 and 51-52 are fully met."

Therefore, the examiner has equated the comparator, which has only a binary output that indicates whether or not the tuning voltage V_{tune} is higher than the reference or threshold voltage V_{ref} to Applicants' sensor.

Applicants have amended claim 1 to indicate that the sensor of the control input of the VCO has more than two output values that vary as the magnitude of the control input.

The terms "sensor" and "sensing" in other claims have similarly been amended.

The previous rejection is thus believed overcome, and the claims allowable. Examination thereof, and allowance is respectfully requested.

Conclusion

Claims 1-19 are the claims of record of the application after this preliminary amendment. As argued above, these claims are believed allowable. Such action is respectfully requested.

If the Examiner has any questions or comments that would advance the prosecution and allowance of this application, an email message to the undersigned at dov@inventek.com, or a telephone call to the undersigned at +1-510-547-3378 is requested.

Respectfully Submitted,

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Date

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